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SUBJECT: SHARIA LAW IN CHECHNYA: THE VEIL OF EXTREMISM

CLASSIFIED BY MINISTER-COUNSELOR FOR POLITICAL AFFAIRS
JOHN M. ORDWAY. REASONS: 1.5 (B) AND (D).

SUMMARY

1. (C) ON WEDNESDAY, FEBRUARY 3, CHECHEN PRESIDENT ASLAN MASKHADOV DECLARED A STATE OF SHARIA (ISLAMIC) LAW TO BE IN EFFECT IN CHECHNYA. ACCORDING TO RUSSIAN PRESS REPORTS, MASKHADOV ASKED THE CHECHEN LEGISLATURE AND THE COUNCIL OF MUFTIS TO DRAFT A SHARIA CONSTITUTION WITHIN ONE MONTH'S TIME. OFFICIAL REACTIONS TO THE INTRODUCTION OF SHARIA LAW IN CHECHNYA HAVE BEEN VARIED, BUT ANALYSTS SUGGEST SHARIA LAW MAY BE PREFERABLE TO WAHHABIST EXTREMISM WHICH HAS THREATENED THE REGION FOR MONTHS. NEVERTHELESS, OBSERVERS HERE AGREE THAT MASKHADOV'S IMPLEMENTATION OF SHARIA LAW, IN FACT, IS A THINLY-VEILED EFFORT TO NEUTRALIZE HIS POLITICAL OPPONENTS BY IMPLEMENTING DE FACTO ABSOLUTE RULE IN CHECHNYA. END SUMMARY.

SHARIA ON THE HORIZON

2. (U) ON FEBRUARY 3, FULL-SCALE SHARIA LAW WENT INTO EFFECT IN CHECHNYA, THE INITIATIVE OF CHECHEN PRESIDENT ASLAN MASKHADOV. INTERFAX REPORTED THAT MASKHADOV SIGNED SEVERAL DECREES STIPULATING THAT ALL LOCAL LEGISLATION MUST BE BROUGHT INTO LINE WITH THE KORAN AND SHARIA REGULATIONS. THE INTRODUCTION OF SHARIA LAW IN CHECHNYA IS INTENDED TO STRIP THE CHECHEN LEGISLATURE OF ITS LEGISLATIVE FUNCTIONS, LEAVING THE ELECTED BODY WITH NOTHING BUT SELECT OVERSIGHT RESPONSIBILITIES. IRONICALLY, THE LEGISLATORS HAVE BEEN ORDERED BY MASKHADOV TO WRITE A SHARIA CONSTITUTION FOR REVIEW IN ONE MONTH'S TIME. MASKHADOV ALSO INSTRUCTED THE CHECHEN COUNCIL OF MUFTIS TO ASSIST THE PARLIAMENTARIANS WITH THIS TASK.

"IF IT'S ISLAMIC, IT CAN'T BE GOOD"

3. (U) THE OFFICIAL REACTION TO THE INTRODUCTION OF SHARIA LAW IN CHECHNYA HAS BEEN MIXED. IVAN RYBKIN, FORMER SECRETARY OF RUSSIA'S SECURITY COUNCIL, TOLD THE PRESS THAT MASKHADOV'S DECISION IS IN DIRECT CONTRADICTION TO THE CHECHEN CONSTITUTION DRAFTED DURING THE PRESIDENCY OF DZHOKHAR DUDAYEV. UNDER THE DUDAYEV CONSTITUTION, THE CHECHEN REPUBLIC IS SUPPOSED TO BE A SECULAR STATE, AND THE EQUALITY OF ALL RELIGIONS IS EMPHASIZED. THE DUDAYEV CONSTITUTION ALSO STATES THAT THE LAWFULLY ELECTED PARLIAMENT OF THE REPUBLIC HAS NO RIGHT TO BE DISSOLVED BY ANYONE, NOR IS IT ABLE TO DISSOLVE ITSELF. RYBKIN STATED THAT "ONE CANNOT EXPECT ANYTHING GOOD...FOLLOWING THE ADOPTION OF SUCH A DECISION."

4. (C) THE INTRODUCTION OF SHARIA LAW IN CHECHNYA HAS RECEIVED CAUTIOUSLY OPTIMISTIC REACTIONS FROM REGIONAL ANALYSTS. ALEKSEY MALASHENKO OF THE MOSCOW CARNEGIE CENTER CALLED SHARIA LAW "A COMPROMISE BETWEEN ANARCHY

AND ANARCHY." MALASHENKO BELIEVES THAT WITHOUT A FIRMER GRIP ON THE SITUATION IN THE REPUBLIC, MASKHADOV WILL NEVER BE ABLE TO DO MORE THAN KEEP THE POLITICAL SITUATION AT A CONSTANT LOW BOIL. THE ALTERNATIVE TO MASKHADOV, ACCORDING TO MALASHENKO, IS A MENTALLY UNSTABLE GROUP OF OPPOSITION FIELD COMMANDERS HEADED BY SALMAN RADUYEV, SHAMIL BASAYEV, AND KHUNKOR-PASHA ISRAPILOV. MALASHENKO NOTES THAT THE MOST IMPORTANT FACTOR IN A BASAYEV/ RADUYEV/ ISRAPILOV POWER OPTION IS THAT IT MOST LIKELY WILL BE FUNDED BY EX-FIELD COMMANDER AL-KHATTAB. AL-KHATTAB IS A SAUDI NATIONAL WITH WAHHABIST TENDENCIES WHO FAVORS A MORE MILITANT VERSION OF ISLAMIC LAW THAN SHARIA. (NOTE: AL-KHATTAB, IN CONJUNCTION WITH FORMER FIELD COMMANDER ARBI BARAYEV, IS WIDELY BELIEVED TO BE RESPONSIBLE FOR MOST HOSTAGE-TAKING IN THE REGION AS WELL AS THE BEHEADING OF THE FOUR WESTERN HOSTAGES IN DECEMBER 1998. AFTER THE HOSTAGE'S HEADS WERE DISCOVERED, MASKHADOV'S GOVERNMENT EXPRESSED ITS DESIRE TO EXPEL AL-KHATTAB FROM CHECHNYA, BUT HAS BEEN UNABLE TO DO SO. END NOTE)

15. (U) VALENTIN VLASOV, FORMER HOSTAGE AND RUSSIAN REPRESENTATIVE TO THE REGION, TOLD THE RUSSIAN MEDIA THAT "NO FUSS SHOULD BE RAISED ABOUT THE DECISION" TO INSTITUTE A STATE OF SHARIA LAW IN CHECHNYA. FORMER CHECHEN FOREIGN MINISTER MOVLADIY UDUGOV CALLED MASKHADOV'S MOVE THE "MOST CORRECT DECISION," AND STATED HIS BELIEF THAT THE INTRODUCTION OF SHARIA LAW WILL ALLOW MASKHADOV TO GAIN CONTROL OF THE CURRENT SITUATION.

COMMENT

16. (C) MASKHADOV'S SEEMINGLY SNAP DECISION TO INTRODUCE SHARIA LAW IS BEING VIEWED WITH MUCH SKEPTICISM BY CHECHEN OPPOSITION FORCES AS WELL AS CHECHNYA'S NEIGHBORS. ALTHOUGH THE TRUE NATURE OF CHECHEN SHARIA LAW WILL NOT BECOME APPARENT UNTIL AFTER A CONSTITUTION IS DRAFTED, PRESUMABLY SOME MEASURES OF ISLAMIC INFLUENCE WILL BECOME MORE EVIDENT, IF ONLY AS A FACADE. ISLAMIC EXTREMISM ON ITS BORDERS IS SOMETHING WHICH RUSSIA CONTINUES TO FEAR. MASKHADOV'S MOVE COULD TOUCH OFF NEW FEARS IF HE IS UNABLE TO CONTROL THE ISLAMIC EXTREMIST INFLUENCE.

17. (C) THE CAUTIOUS OPTIMISM WITH WHICH ANALYSTS ARE VIEWING MASKHADOV'S MOVE IS PERHAPS MORE REALISTIC AND DEVOID OF THE EMOTIONAL BIAS AGAINST ALL FORMS OF ISLAM WHICH PREVAILS IN RUSSIAN SOCIETY TODAY. RUSSIAN POLITICIANS (E.G. PM PRIMAKOV, MINISTER FOR NATIONALITIES ABDULATIPOV, AND DEPUTY PM FOR REGIONAL AFFAIRS GUSTOV) HAVE INVESTED IN MASKHADOV'S GOVERNMENT BY OPENING NEGOTIATIONS AND DISCUSSING PLANS FOR IMPROVING THE ECONOMIC SITUATION IN THE REGION WITH HIM. FOR SEVERAL MONTHS, MASKHADOV HAS FACED SERIOUS AND GROWING CHALLENGES TO HIS AUTHORITY AND ABILITY TO GOVERN CHECHNYA. MASKHADOV HAS BEEN UNABLE TO MAINTAIN ANY SEMBLANCE OF ORDER IN CHECHNYA. THE INTRODUCTION OF SHARIA LAW IN CHECHNYA MAY BE VIEWED AS MASKHADOV'S ATTEMPT TO CO-OPT HIS ISLAMIC EXTREMIST OPPOSITION, WHILE AT THE SAME TIME CREATING THE CONDITIONS IN WHICH HE CAN IMPOSE AN ACCEPTABLE LEVEL OF ORDER WITH A MODERATE LEVEL OF POPULAR SUPPORT.

COLLINS